IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.1937 OF 2004
IN
WRIT PETITION NO.4855 OF 2004

All India Customs Appraising
Officers Federation and anr. .. Applicants

v/s.

Union of India & ors. .. Respondents

Mr.Girish Kulkarni i/by Mr.Anilkumar Joshi for applicants.

Mr.P.M.Pradhan i/by Mr.T.C.Kaushik for the respondent No.1.

Mr.C.J.Sawant i/by Mr.S.P.Bharti for the respondent No.3.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 29th April, 2005

P.C.

The learned counsel for the applicants pressed for interim relief in this civil application. He invited our attention to the order dated 12th January, 2005 and submitted that liberty was granted to the petitioners to seek orders on civil application if the writ petition was not heard on 14.2.2005.

2. Suffice it to observe that the writ petition is not ripe for hearing as the petitioners have not yet served respondent No.4 and, therefore, they cannot take shelter of the fact that since the writ petition was not heard on 14.2.2005, they are entitled to the interim relief.

3. As a matter of fact, the order dated 12th January, 2005 clarifies that any action taken shall be subject to the result of the writ petition. We are informed that now the seniority list of the apprising officers has been finalised. The said seniority list has been made subject to the decision in the writ petition. This fully protects the interest of the apprising officers represented by the petitioners.

4. No further interim order needs to be passed in the civil application. It is disposed of accordingly.

(R.M.LODHA, J.)

(R.S.MOHITE, J.)